

Message Text

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ORIGIN L-03

INFO OCT-01 ARA-10 ISO-00 EB-08 COME-00 JUSE-00 TRSE-00
SEC-01 OMB-01 CIAE-00 DODE-00 PM-04 H-02 INR-07
NSAE-00 NSC-05 PA-02 PRS-01 SP-02 SS-15 USIA-15 SCA-01
/078 R

DRAFTED BY L/ARA:F.WILLIS:JV
APPROVED BY L/ARA:F.WILLIS
-----291916Z 108727 /46
R 290143Z JAN 77
FM SECSTATE WASHDC
TO AMEMBASSY CARACAS

UNCLAS STATE 020644

E.O. 11652: N/A

TAGS: PFOR, PGOV, PINS, VE, US

SUBJECT: BOEING BRIBERY CASE

REF: STATE 020433

1. IN ACCORDANCE WITH PARA 3 OF REFTTEL, THE FOLLOWING IS
TEXT OF MEXICO AGREEMENT COVERING GENERAL AND FIRESTONE
TIRE COMPANIES.

(TITLE) PROCEDURES FOR MUTUAL ASSISTANCE IN THE
ADMINISTRATION OF JUSTICE IN CONNECTION WITH THE GENERAL
TIRE AND RUBBER COMPANY AND THE FIRESTONE TIRE AND RUBBER
COMPANY MATTERS.

(BEGIN TEXT) THE UNITED STATES DEPARTMENT OF JUSTICE
AND THE PROCURADOR GENERAL OF THE REPUBLIC OF MEXICO,
HEREINAFTER REFERRED TO AS "THE PARTIES", CONFIRM THE
FOLLOWING PROCEDURES IN REGARD TO MUTUAL ASSISTANCE TO BE
RENDERED TO AGENCIES WITH LAW ENFORCEMENT RESPONSIBILITIES
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IN THEIR RESPECTIVE COUNTRIES WITH RESPECT TO ALLEGED
ILLICIT ACTS PERTAINING TO THE SALES ACTIVITIES IN MEXICO
OF THE GENERAL TIRE AND RUBBER COMPANY AND THE FIRESTONE
TIRE AND RUBBER COMPANY AND THEIR SUBSIDIARIES OR
AFFILIATES:

1. ALL REQUESTS FOR ASSISTANCE SHALL BE COMMUNICATED

BETWEEN THE PARTIES THROUGH THE DIPLOMATIC CHANNEL.

2. UPON REQUEST, THE PARTIES SHALL USE THEIR BEST EFFORTS TO MAKE AVAILABLE TO EACH OTHER RELEVANT AND MATERIAL INFORMATION, SUCH AS STATEMENTS, DEPOSITIONS, DOCUMENTS, BUSINESS RECORDS, CORRESPONDENCE OR OTHER MATERIALS, AVAILABLE TO THEM CONCERNING ALLEGED ILLICIT ACTS PERTAINING TO THE SALES ACTIVITIES IN MEXICO OF THE GENERAL TIRE AND RUBBER COMPANY AND THE FIRESTONE TIRE AND RUBBER COMPANY AND THEIR SUBSIDIARIES OR AFFILIATES.

3. SUCH INFORMATION SHALL BE USED EXCLUSIVELY FOR PURPOSES OF INVESTIGATION CONDUCTED BY AGENCIES WITH LAW ENFORCEMENT RESPONSIBILITIES AND IN ENSUING CRIMINAL, CIVIL AND ADMINISTRATIVE PROCEEDINGS, HEREINAFTER REFERRED TO AS "LEGAL PROCEEDINGS".

4. EXCEPT AS PROVIDED IN PARAGRAPH 5, ALL SUCH INFORMATION MADE AVAILABLE BY THE PARTIES PURSUANT TO THESE PROCEDURES, AND ALL CORRESPONDENCE BETWEEN THE PARTIES RELATING TO SUCH INFORMATION AND TO THE IMPLEMENTATION OF THESE PROCEDURES, SHALL BE KEPT CONFIDENTIAL AND SHALL NOT BE DISCLOSED TO THIRD PARTIES OR TO GOVERNMENT AGENCIES HAVING NO LAW ENFORCEMENT RESPONSIBILITIES. DISCLOSURE TO OTHER AGENCIES HAVING LAW ENFORCEMENT RESPONSIBILITIES SHALL BE CONDITIONED ON THE RECIPIENT AGENCY'S ACCEPTANCE OF THE TERMS SET FORTH HEREIN. SHOULD A SUBSEQUENT CHANGE IN THE DOMESTIC LAW IMPAIR THE ABILITY OF THE REQUESTING STATE, OR AN AGENCY THEREOF, TO CARRY OUT UNCLASSIFIED

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THE TERMS SET FORTH HEREIN, THE REQUESTING STATE SHALL PROMPTLY RETURN ALL MATERIALS MADE AVAILABLE HEREUNDER TO THE REQUESTED STATE.

IN THE EVENT OF BREACH OF CONFIDENTIALITY, THE OTHER PARTY MAY DISCONTINUE COOPERATION UNDER THESE PROCEDURES.

5. INFORMATION MADE AVAILABLE PURSUANT TO THESE PROCEDURES MAY BE USED FREELY IN ENSUING LEGAL PROCEEDINGS IN THE REQUESTING STATE IN WHICH AN AGENCY OF THE REQUESTING STATE HAVING LAW ENFORCEMENT RESPONSIBILITIES IS A PARTY, AND THE PARTIES SHALL USE THEIR BEST EFFORTS TO FURNISH THE INFORMATION FOR PURPOSES OF SUCH LEGAL PROCEEDINGS IN SUCH FORM AS TO RENDER IT ADMISSIBLE PURSUANT TO THE RULES OF EVIDENCE IN EXISTENCE IN THE REQUESTING STATE, INCLUDING, BUT NOT LIMITED TO, CERTIFICATIONS, AUTHENTICATIONS, AND SUCH OTHER ASSISTANCE AS

MAY BE NECESSARY TO PROVIDE THE FOUNDATION FOR THE
ADMISSIBILITY OF EVIDENCE.

6. THE PARTIES SHALL GIVE ADVANCE NOTICE AND AFFORD
AN OPPORTUNITY FOR CONSULTATION PRIOR TO THE USE, WITHIN
THE MEANING OF PARAGRAPH 5, OF ANY INFORMATION MADE AVAIL-
ABLE PURSUANT TO THESE PROCEDURES.

7. UPON REQUEST, THE PARTIES AGREE TO PERMIT THE
INTERVIEWING OF PERSONS IN THEIR RESPECTIVE COUNTRIES BY
LAW ENFORCEMENT OFFICIALS OF THE OTHER PARTY, PROVIDED
ADVANCE NOTICE IS GIVEN OF THE IDENTITY OF THE PERSONS TO
BE INTERVIEWED AND OF THE PLACE OF THE INTERVIEW. REPRESENTATIVES OF THE OTHER PARTY MAY BE PRESENT AT SUCH
INTERVIEWS. THE PARTIES WILL ASSIST EACH OTHER IN
ARRANGING FOR SUCH INTERVIEWS AND WILL PERMIT THE TAKING
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OF TESTIMONY OR STATEMENTS OR THE PRODUCTION OF DOCUMENTS
AND OTHER MATERIALS IN ACCORDANCE WITH THE PRACTICE OR
PROCEDURE OF THE REQUESTING STATE. THE REQUESTING PARTY
SHALL NOT PURSUE ITS REQUEST FOR AN INTERVIEW OR FOR THE
PRODUCTION OF DOCUMENTS AND OTHER MATERIALS IF THE
REQUESTED PARTY CONSIDERS THAT IT WOULD INTERFERE WITH AN
ONGOING INVESTIGATION OR PROCEEDING BEING CONDUCTED BY
THE AUTHORITIES OF THE REQUESTED PARTY.

8. THE PARTIES SHALL USE THEIR BEST EFFORTS TO ASSIST
IN THE EXPEDITIOUS EXECUTION OF LETTERS ROGATORY ISSUED
BY THE JUDICIAL AUTHORITIES OF THEIR RESPECTIVE COUNTRIES
IN CONNECTION WITH ANY LEGAL PROCEEDINGS WHICH MAY ENSUE
IN THEIR RESPECTIVE COUNTRIES.

9. THE ASSISTANCE TO BE RENDERED TO A REQUESTING
STATE SHALL NOT BE REQUIRED TO EXTEND TO SUCH ACTS BY
THE AUTHORITIES OF THE REQUESTED STATE AS MIGHT RESULT
IN THE IMMUNIZATION OF ANY PERSON FROM PROSECUTION
IN THE REQUESTED STATE.

10. ALL ACTIONS TO BE TAKEN BY A REQUESTED STATE
WILL BE PERFORMED SUBJECT TO ALL LIMITATIONS IMPOSED BY
ITS DOMESTIC LAW. EXECUTION OF A REQUEST FOR ASSISTANCE
MAY BE POSTPONED OR DENIED IF EXECUTION WOULD INTERFERE
WITH AN ONGOING INVESTIGATION OR LEGAL PROCEEDING IN
THE REQUESTED STATE.

11. NOTHING CONTAINED HEREIN SHALL LIMIT THE RIGHTS
OF THE PARTIES TO UTILIZE FOR ANY PURPOSE INFORMATION
WHICH IS OBTAINED BY THE PARTIES INDEPENDENT OF THESE

PROCEDURES.

12. THE MUTUAL ASSISTANCE TO BE RENDERED BY THE
PARTIES PURSUANT TO THESE PROCEDURES IS DESIGNED SOLELY
FOR THE BENEFIT OF THEIR RESPECTIVE AGENCIES HAVING LAW
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ENFORCEMENT RESPONSIBILITIES AND IS NOT INTENDED OR
DESIGNED TO BENEFIT THIRD PARTIES OR TO AFFECT THE
ADMISSIBILITY OR EVIDENCE UNDER THE LAWS OF EITHER THE
UNITED STATES OR MEXICO.

DONE AT WASHINGTON, D.C., THIS 23RD DAY OF JUNE, 1976.

FOR THE PROCURADOR GENERAL OF THE REPUBLIC OF MEXICO:
(SIGNED BY) LIC. RODOLFO CHAVEZ CALVILLO, DIRECTOR GENERAL
DE CONTROL DE PROCESOS Y CONSULTA EN EL EJERCICIO DE LA
ACCION PENAL.

FOR THE DEPARTMENT OF JUSTICE: (SIGNED BY) JOHN C.
KEENEY, DEPUTY ASSISTANT ATTORNEY GENERAL, CRIMINAL
DIVISION. END TEXT.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: TEXT, AGREEMENTS
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Decaption Note:
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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
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Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Source: CORE
Document Unique ID: 00
Drafter: F.WILLIS:JV
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770033-0303
Format: TEL
From: STATE
Handling Restrictions: n/a
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Original Handling Restrictions: n/a
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Previous Handling Restrictions: n/a
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Review Action: RELEASED, APPROVED
Review Content Flags:
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Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 3592533
Secure: OPEN
Status: NATIVE
Subject: BOEING BRIBERY CASE
TAGS: PFOR, PGOV, PINS, VE, US, MX, GENERAL TIRE, FIRESTONE
To: CARACAS
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/9b2e71d9-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009